

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:14-00079

RICKY A. WILLIAMS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On April 6, 2017, the United States of America appeared by C. Haley Bunn, Assistant United States Attorney, and the defendant, Ricky A. Williams, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by Senior United States Probation Officer Patrick M. Fidler. The defendant commenced a twenty-eight month term of supervised release in this action on November 6, 2015, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on April 21, 2015.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state offense of grand larceny on or about July 28, 2016, as evidenced by his plea of guilty and conviction on that charge in the Circuit Court of Kanawha County, West Virginia; (2) the defendant used and possessed controlled substances, all without prescription by a physician, as evidenced by a positive urine specimen submitted by him on January 28, 2016, for marijuana, and his admission to the probation officer that he had "hit a blunt;" a positive urine specimen submitted by him on April 25, 2016, for marijuana and opiates, and his admission to the probation officer that he had used marijuana the day before and heroin and Subutex on or about April 23, 2016; a positive urine specimen submitted by him on May 4, 2016, for marijuana, and his admission to the probation officer that he used marijuana approximately two days prior to submitting the sample; and a positive urine specimen submitted by him on July 25, 2016, for marijuana and opiates, and his admission to the probation officer that he used marijuana approximately seven days prior and a morphine pill approximately three or four days prior; (3) the defendant failed to report to

the probation officer as instructed as more fully set forth in Violation No. 3; (4) the defendant failed to submit written supervision reports for the months of January, February, March, May, June, July and August, 2016; (5) the defendant failed to notify the probation officer within 72 hours of his arrest on July 28, 2016; (6) the defendant failed to report for drug screens as instructed on December 14, 2015; January 26 and 28, and February 29, 2016, or anytime thereafter; (7) the defendant failed to attend weekly individual substance abuse counseling as directed as more fully set forth in Violation No. 5; and (8) the defendant traveled outside of the judicial district without permission inasmuch as he was arrested on or about November 17, 2016, in Palm Beach County, Florida; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

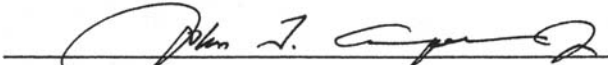
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to run consecutively to the state grand larceny sentence first above noted, including any revision thereof, to be followed by a term of twenty-two (22) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B) and the standard conditions as set forth in Local Rule 32.3.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: May 17, 2017



John T. Copenhaver, Jr.
United States District Judge